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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITE HERE HEALTH, by and through its
fiduciary, Matthew Walker;

vs.

DESERT PALACE, INC. dba CAESAR'S
PALACE, a Nevada corporation; BISTRO
CENTRAL, LV, LLC dba CENTRAL 24/7, a
Nevada limited liability company; CARL
HALVORSON, individually; JOHN DOES I-
X, inclusive; ROE ENTITIES I-X, inclusive,

Defendants.

CONSOLIDATED CASE NO.:
2:13-cv-00069-APG-PAL

Consolidated with Case No. 2:13-cv-
01571-JAD-NJK

PLAINTIFFS' MOTION TO DISMISS

SOUTHERN NEVADA CULINARY AND
BARTENDERS PENSION TRUST, by and
through its fiduciary Kim Gould; SOUTHERN
NEVADA JOINT MANAGEMENT AND
CULINARY AND BARTENDERS
TRAINING FUND, by and through its
Fiduciary Terry Greenwald; CULINARY
AND BARTENDERS TIP EARNERS
LEGAL ASSISTANCE FUND, by and
through its Fiduciary Terry Greenwald; and
CULINARY AND BARTENDERS
HOUSING PARTNERSHIP FUND, by and
through its Fiduciary D. Taylor,

Plaintiffs,

vs.

DESERT PALACE, INC. dba CAESAR'S
PALACE, a Nevada corporation; BISTRO

CENTRAL, LV, LLC dba CENTRAL 24/7, a
Nevada limited liability company; CARL
HALVORSON, individually; JOHN DOES I-
X, inclusive; ROE ENTITIES I-X, inclusive,

Defendants.

Plaintiffs in these consolidated cases, acting through counsel, respectfully move the Court for its Order dismissing all remaining parties and claims without prejudice. Claims against Defendant DESERT PALACE, INC. were dismissed by Court Order approving the parties' stipulation (Doc. #103). This motion is intended to result in dismissal of claims asserted against Defendants BISTRO CENTRAL, LV, LLC dba CENTRAL 24/7 ("Bistro") and CARL HALVORSON ("Halvorson").

Defendants Bistro and Halvorson submitted answers in these consolidated cases on March 11, 2013 and April 22, 2013. Thereafter, Bistro and Halvorson sought new counsel and filed bankruptcy petitions. The bankruptcy cases of both Bistro and Halvorson were ultimately dismissed, and neither Defendant was granted a discharge by the bankruptcy court. Plaintiffs have determined not to pursue their claims against Bistro or Halvorson, but have had no contact with either Defendant or their former counsel for more than two years, making it impossible to submit a stipulation to dismiss them from the Case.

Accordingly, Plaintiffs respectfully seek this Court's Order dismissing Bistro and Halvorson from the Case without prejudice. The entry of the Court's Order granting this Motion will resolve all issues and claims presented in these consolidated cases, which may then be closed.

Respectfully submitted,

CHRISTENSEN JAMES & MARTIN

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IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

Dated: November 7, 2018

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CERTIFICATE OF SERVICE

I am an employee of Christensen James & Martin. On the date of filing of the foregoing papers with the Clerk of Court I caused a true and correct copy to be served in the following manner:

☒ **ELECTRONIC SERVICE:** Pursuant to Local Rule LR 5-4 of the United States District Court for the District of Nevada, the above-referenced document was electronically filed and served on all appearing parties through the Notice of Electronic Filing automatically generated by the Court.

☐ **UNITED STATES MAIL:** By depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

☐ **OVERNIGHT COURIER:** By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally-recognized courier, addressed to the parties listed below at their last-known mailing address.

☐ **FACSIMILE:** By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

CHRISTENSEN JAMES & MARTIN

By: /s/ Natalie Saville
Natalie Saville